

**EXECUTIVE ORDERS, PROCLAMATIONS OF
GENERAL APPLICABILITY, AND STATEMENTS
ISSUED BY THE GOVERNOR
PURSUANT TO A.R.S. § 41-1013(B)(3)**

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders and Proclamations of General Applicability issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

*** ARIZONA HEART MONTH ***

[M12-42]

WHEREAS, cardiovascular disease is the nation's leading cause of death and costliest disease with direct and indirect costs estimated to be \$297.7 billion; and

WHEREAS, cardiovascular disease accounts for one out of three deaths nationwide; and

WHEREAS, nearly 2,200 Americans die of cardiovascular disease each day, an average of one death every 39 seconds, and nearly 33 percent of deaths due to cardiovascular disease occur before the age of 75 years; and

WHEREAS, each year over 10,000 people die from cardiovascular disease in Arizona; and

WHEREAS, this year in the United States, an estimated 785,000 people will have a new coronary attack, 470,000 people will have a recurrent attack, and an additional 195,000 "silent" heart attacks will occur; and

WHEREAS, the American Heart Association's 2020 impact goal seeks to improve the cardiovascular health of Americans by 20 percent while reducing deaths from cardiovascular diseases and stroke by 20 percent through research, population and community level interventions and public health and policy measures; and

WHEREAS, efforts of the American Heart Association as well as, the Save Hearts in Arizona Registry and Education (SHARE) Program, encourages citizens to help save lives by calling 9-1-1 if symptoms occur, become trained in CPR, and encourage comprehensive automated external defibrillator (AED) programs in their communities; and

WHEREAS, the American Heart Association is celebrating February 2012 as American Heart Month and promoting education and awareness by encouraging citizens to learn the warning signs of heart attack and stroke.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim February 2012 as

*** ARIZONA HEART MONTH ***

and urge all citizens to recognize the critical importance of tools and skills that will increase survival rates from cardiac arrest. By incorporating these tools into aggressive programs, we can save thousands of lives each year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this thirty-first day of January in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** CONGENITAL HEART DEFECT AWARENESS WEEK ***

[M12-43]

WHEREAS, congenital heart defects are the most frequently occurring birth defects and the leading cause of birth defect related deaths worldwide; and

WHEREAS, over a million families across America are facing the challenges and hardships of raising children with congenital heart defects; and

WHEREAS, every year 40,000 babies are born in the United States with congenital heart defects; and

WHEREAS, some congenital heart defects are not diagnosed until months or years after birth, causing many cases of sudden cardiac death in young athletes who have not been diagnosed with congenital heart conditions; and

WHEREAS, in 2010, there were 2,783 hospital admissions in Arizona of infants with congenital heart disorders; and their hospital charges amounted to \$449 million; and

WHEREAS, despite these statistics, newborns and young athletes are not routinely screened for congenital heart defects, with a disproportionately small amount of funding available for congenital heart defect research, parent/patient educational services and support; and

WHEREAS, Congenital Heart Defect Awareness Week provides an opportunity for families whose lives have been affected by congenital heart defects to celebrate life and to remember loved ones lost, to honor dedicated health professionals, and to meet others and know they are not alone; and

WHEREAS, the establishment of Congenital Heart Defect Awareness Week will also provide the opportunity to share experience and information with the public and the media, in order to raise public awareness about congenital heart defects.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim February 7-14, 2012 as

*** CONGENITAL HEART DEFECT AWARENESS WEEK ***

and encourage all citizens to increase awareness, education and services for congenital heart defects, which each year affect thousands of babies in Arizona.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this thirty-first day of January in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** ADOPT AN ANIMAL WEEK ***

[M12-44]

WHEREAS, tens of millions of homeless animals are housed in shelters across America each year due to overpopulation; and

WHEREAS, spaying and neutering of pets as well as adopting pets from local animal welfare organizations are important in helping to eliminate animal overpopulation; and

WHEREAS, animal shelters have more pets up for adoption than there are people adopting pets, which often forces many animal shelters to resort to euthanizing un-adopted animals; and

WHEREAS, animal shelters across the State of Arizona house various lovable pets, willing to match all types of lifestyles, age groups, and families; and

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WHEREAS, an increased awareness of the humanitarian partnership we share with animals, coupled with our stewardship of their welfare, is encouraged by their consistent companionship in our lives on many levels; and

WHEREAS, the role of animals as an integral thread in our global community is clearly illustrated by the innumerable animal companion, animal protection, animal welfare, animal rescue and rehabilitation, animal advocacy, animal service and animal support organizations in the State of Arizona; and

WHEREAS, Adopt an Animal Week helps raise public awareness about the plight of homeless animals, while educating the public about pet overpopulation and the need for placing the many animals into permanent and loving homes.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby designate February 5-12, 2012 as

*** ADOPT AN ANIMAL WEEK ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this first day of February in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** PERIANESTHESIA NURSE AWARENESS WEEK ***

[M12-45]

WHEREAS, perianesthesia nurses practice in all phases of preanesthesia and postanesthesia care, ambulatory surgery, and pain management; and

WHEREAS, the depth and breadth of the perianesthesia nursing profession meets the varied and emerging health care needs of the American population in a diversified range of environments; and

WHEREAS, the American Society of PeriAnesthesia Nurses, as the representative for the perianesthesia nurses of this country, strives to advance nursing practice through education, research and standards; and

WHEREAS, perianesthesia nursing has been established as essential in the quality of health care and safety of patients in the hospital and ambulatory surgery settings; and

WHEREAS, along with the American Society of PeriAnesthesia Nurses (ASPN), the Arizona PostAnesthesia Nurses' Association (AzPANA) has declared the week of February 6-12, 2012, as "PeriAnesthesia Nurse Awareness Week" in recognition of perianesthesia nurses' steadfast commitment to patient care and the continued advancement of nursing practices; and

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim February 6-12, 2012 as

*** PERIANESTHESIA NURSE AWARENESS WEEK ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this first day of February in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:

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Ken Bennett
Secretary of State

*** RONALD REAGAN DAY ***

[M12-40]

WHEREAS, President Ronald Wilson Reagan, a man of humble background, worked throughout his life serving freedom and advancing the public good, having been employed as an entertainer, union leader, corporate spokesman, Governor of California and President of the United States; and

WHEREAS, Ronald Reagan served with honor and distinction for two terms as the 40th President of the United States of America; the second of which he earned the confidence of 3/5 of the electorate and was victorious in 49 of the 50 states in the general election – a record unsurpassed in the history of American presidential elections; and

WHEREAS, in 1981, when Ronald Reagan was inaugurated as President of the United States, he inherited a disillusioned nation shackled by rampant inflation and high unemployment; and

WHEREAS, during Mr. Reagan's presidency, he worked in a bipartisan manner to enact his bold agenda of restoring accountability and common sense to government which led to an unprecedented economic expansion and opportunity for millions of Americans; and

WHEREAS, Mr. Reagan's commitment to an active social policy agenda for the nation's children helped lower crime and drug use in our neighborhoods; and

WHEREAS, President Reagan's commitment to our Armed Forces contributed to the restoration of pride in America, her values and those cherished by the free world, and prepared America's Armed Forces to meet 21st Century challenges; and

WHEREAS, President Reagan's vision of "peace through strength" led to the end of the Cold War and the ultimate demise of the Soviet Union, guaranteeing basic human rights for millions of people; and

WHEREAS, February 6, 2012 marks the 101st anniversary of Ronald Reagan's birth and the eighth since his passing.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim February 6, 2012 as

*** RONALD REAGAN DAY ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this second day of February in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

*** END POLIO NOW DAY ***

[M12-49]

WHEREAS, poliomyelitis (polio) is a viral disease that affects the nerves and can lead to partial or full paralysis; and

WHEREAS, the polio virus enters the body through the mouth and nose, multiplies in the throat and intestinal tract, and is then absorbed and spread through the blood and lymph system; and

WHEREAS, until the 1950s, polio was a worldwide epidemic, and 1954 marked the last epidemic outbreak of polio in Arizona; and

WHEREAS, ever since the development of the polio vaccine, the prevalence of the disease has been greatly reduced and cases of polio have decreased 99 percent since 1988; and

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WHEREAS, outbreaks of polio still occur in the developed world, typically in groups of individuals who have not been vaccinated, and children mainly under the age of five living in Asia, Africa, and the eastern Mediterranean region; and

WHEREAS, in 2011, only four countries (Afghanistan, India, Nigeria and Pakistan) remain polio-endemic; and

WHEREAS, Rotary International and Rotary club members from around Arizona will celebrate End Polio Now Day by participating in world-wide efforts to raise public awareness about polio and to eradicate the disease with the goal of reaching a polio-free world.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim February 14, 2012 as

*** END POLIO NOW DAY ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this sixth day of February in the year Two Thousand and Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State

EXECUTIVE ORDER 2011-05

State Regulatory Rule Making Review and Moratorium To Promote Job Creation and Retention

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on June 30, 2012 as a notice to the public regarding state agencies' rulemaking activities.

[M11-234]

WHEREAS, my first official action as Governor was to institute a regulatory rule making review and moratorium process ("regulatory review and moratorium") in order to prevent additional and unnecessary burdens on our private sector employers and political subdivisions; and

WHEREAS, other states have since implemented regulatory reviews and moratoriums; and

WHEREAS, the economic climate in Arizona continues to challenge both those seeking employment and our employers, who are the key to increasing job opportunities in this State; and

WHEREAS, a predictable regulatory climate in this State will promote job creation and retention; and

WHEREAS, the Legislature enacted the regulatory review and moratorium for fiscal year 2009 - 2010 by passing House Bill 2008 in the 2009 Third Special Session; and

WHEREAS, the Legislature continued the regulatory review and moratorium for fiscal year 2010 - 2011 by passing House Bill 2260 in the 2010 Second Regular Session; and

WHEREAS, the current regulatory review and moratorium expires on June 30, 2011; and

WHEREAS, the expiration of the current regulatory review and moratorium could result in a regulatory explosion detrimental to job creation and retention in this State; and

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State, hereby declare that for fiscal year 2011-2012 ending June 30, 2012, the following:

1. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any rule making except as permitted by this Order. The objective of this Order is eliminate any unnecessary increased monetary or regulatory costs on employers, persons, individuals, other state agencies, or political subdivisions of this State. This prohibition includes any informal rule making prior to the commencement of the formal rule making process.

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2. Paragraph 1 does not apply to state agency rule making for any one or more of the following reasons:
 - a. To fulfill an objective related to job creation in this State.
 - b. To lessen or ease a regulatory burden while achieving the same regulatory objective.
 - c. To prevent a significant threat to the public health, peace or safety.
 - d. To avoid a violation of a court order or federal law that would result in sanctions by a court or federal government against an agency for failure to conduct the rule making action.
 - e. To comply with a federal statutory or regulatory requirement or a state statutory requirement if the applicable statute or regulation contains a date certain for compliance on or before December 31, 2012 or is necessary under subparagraph (c) of this Paragraph.
 - f. To fulfill an obligation related to fees or any other action necessary to implement the state budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
 - g. To promulgate a rule or other item that is exempt from title 41, chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
 - h. To address matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within a state agency or wasteful, fraudulent or abusive activities perpetrated against a state agency.
3. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any informal or formal rule making pursuant to Paragraph 2 or otherwise without the prior written approval of the Office of the Governor.
4. This Order applies to all state agencies, except for: (a) any state agency that is headed by a single elected state official, (b) the corporation commission, or (c) any state agency whose agency head is not appointed by the Governor.
5. All state officials and state agencies that are not subject to this Order pursuant to Paragraph 4 are encouraged to participate voluntarily within the context of their own rule making processes.
6. State agencies may continue a rule making that was authorized by the Office of the Governor on or after January 22, 2009. All state agencies, subject to this Order pursuant to Paragraph 4, shall report to the Office of Governor by July 29, 2011 all pending rule makings and any pending requests to the Office of Governor for rule making.
7. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a state agency.
8. For the purposes of this executive order, "person", "rule" and "rule making" have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix, Arizona this 30th day of June in the year Two Thousand Eleven and of the Independence of the United States of America the Two Hundred and Thirty-fifth.

ATTEST:
Ken Bennett
Secretary of State